

## HUMAN RIGHTS HELP HUMAN IN BEING ‘HUMANE’

-RITIK GUPTA<sup>1</sup>

*This article simply points out the infringements of Human Rights from which the nation is undergoing and also, critically analyses them. The rationale for these happening violations has been discussed by the author succinctly and this paper also, examines the inadequacy of the government to safeguard the individuals' human rights which has consequently given birth to numerous conflicts. The author has furnished with plenty of factual information and reports of several organizations to prove the given argument. The author, here, discourses the various tribulations taking place in the society because of the contravention of our inherent rights and, at the end, the author has propounded some corrective measures for the fortification of everyone's human rights, indeed, heartened the thought of 'leave no one behind'.*

Key Words – *Individualism, Infringement, Repression, Egalitarianism, Institutionalization*

### INTRODUCTION

As rightly emphasized by Ramsey Clark, “A right is not what someone gives, it's what no one can take from you”.

From the day of our parturition to the day of our demise even the god cannot take the right of being human from us. So, how can a body elected by us, could even try to violate our human rights? Not fulfilling the indispensable needs of the people means, in a sense, treating them as if they are less than human and undeserving respect and dignity and hence, violating their most basic human rights. If we see the wider picture then it seems that human rights violations (civil, political, social and economic) are the reasons of many crises. When rights to adequate food, housing, employment, and cultural life are denied, and large groups of people are excluded from the society's decision-making processes, there is likely to be great social unrest. Such conditions often give rise to justice conflicts, in which parties demand that their basic needs be met. It is self-explanatory, indeed, when individuals don't get their living demands, the situation, then,

---

<sup>1</sup> FAIRFIELD INSTITUTE OF MANAGEMENT AND TECHNOLOGY, IPU

turns into protests or, sometimes massacres which results in destruction of infrastructure and civic institutions. This also, side by side, led to the collapse of economic infrastructure which means increased impoverishment and scarcity of resources. And this whole tragedy then affects all the three branches of government in several different ways, indeed, the judiciary gets slow in delivering justice. Of all the violated rights, right to freedom gets most affected, and precisely abductions, arbitrary arrest, detentions without trial, political execution, etc. often follow.

### **I. INFRACTION OF HUMAN RIGHTS**

The government just simply focuses on fundamental rights but they fail to think that for a fundamental right to exist there must be a human right. Anything which is obligatory for a human to be 'human' and to endure in the society ought to be provided by the government of that concerned state as this is his or her basic obligation. Governments play a critical role in diminishing the human rights of the people as to play politics but it is ironical that they fail to recall the reasons of problems like poverty, suicides, terrorist attacks, etc. The *World Report 2020* made by '*Human Rights Watch*' has sturdily condemned the 'Citizenship Amendment Act 2019' and the blackout of 'Kashmir'. As the Indian authorities failed to protect religious minorities and used draconian sedition and counterterrorism laws to stifle peaceful protest and hence violated the human rights of the Kashmiri ruthlessly. The subjugation done by the government has ensued in the loss of livelihood and education. Internet services were terminated and individuals were being detained without charge or under house arrests to prevent protests, including 'children'.

And through CAA, country was again parted in the name of religion as Muslims were not appended in the list. Prior to this step, Assam was the sufferer of NRC as millions of people became stateless (mostly Muslims) but also, the reason behind this is the poor documentation-culture of India. Having an identity is one of the most crucial human rights which the individuals were not able to claim.

In today's times, value of individualism is being lost. Being human is more foundational in nature than just being a citizen of a country. People need to understand the polarity between fundamental rights and human rights. Infringement of human rights is the root cause of various crimes or we can say the socio-economic issues as to fulfill their basic necessities people start violating the law and this wholly depends on the parent of the state. There are different ways in which the human rights are being compromised like the torture of police on the convicted in the police custody. According to the report given by *Asian Centre for Human Rights (ACHR)*, a total 1674 custodial deaths, including 1,530 deaths in judicial custody and 144 deaths in police custody, took place from 1 April 2017 to 28 February 2018 which means that on an average there were about 5 custodial deaths per day in the aforementioned time period. The question then arises is 'Who will protect the public when police violate the law?' as the police is continuously

butchering basic human rights. ‘Fake Encounter’ is again a vicious act or we can say cold blooded murders done by the police officials for the self-benefit or, to be precise, for promotions to the higher posts. A report with registered number of fake encounters made by the *National Human Rights Commission (NHRC)* counts total 1782 fake encounter cases from 2000-2017.

## **II. VOTER REPRESSION – A PARASITE TO DEMOCRACY**

As someone said, if we don’t vote then we don’t carry the right to complain and there it goes, What if we don’t have the right to vote? One of the most critical ways that individuals can influence governmental decision-making is through voting. Voter repression is one of the précised reason because of which names get struck out of the voter list. Political parties do oppress the people’s right to vote when goes against their vote-banks. The suppression of voting rights has a toxic impact which lasts far beyond election season which directly, indeed, contributes to poverty as voting is a source of power. It becomes partial for the opposition-voters to survive in the society as criticized in the name of religion, sometimes, on being poor. Most importantly, this kind of act fills hatred in the individuals who are getting disfranchised for just being a different god-follower or not being rich. We have to implement this philosophy that ‘*The right to take part in government is not separate from the right to not be poor*’. Act of disfranchisement is a major violation of human rights which is happening in different segments of country for assortment of reasons including poverty, intimidation, illiteracy and most importantly ‘unfair election processes’, indeed, these causes can only be altered by the administration. A new book by the political scientists *Prannoy Roy* and *Dorab Sopariwala*, *The Verdict: Decoding India’s Elections*, suggests 21 million eligible women voters are presently disenfranchised in India, based on the ratio of women to men in the electoral rolls compared with the ratio in the census data. According to a new report, across 800 constituencies a total of 120 million voters could be missing nationally, mostly because of gender-inequality and religious rationales.

## **III. REPERCUSSIONS FROM INFRINGEMENT OF HUMAN RIGHTS**

Contravention of one’s human rights not only alter that victim’s liberty but influences society, making them go through abhorrence. It affects the nation’s prominence globally and generates dilemma in the mind of youth of the country and leads to many crises. Infringement of human rights in a country gives multinationals access to destruct the illiterate as they can abuse their negotiating power. Firms like these yield from weak local authorities and blemished institutions by setting up or upholding pitiable working state in different means such as making them work too long, depleted salaries, unceremonious work.

Hindrances are caused and thus, appeasement and tranquility become much more intricate to happen. Unsettled concern about violation of human rights led to many tragedies in many ways like sickness, starvation, lack of basic haven. People commence to think more about self-benefit than just the betterment of the country as by not paying taxes and many more. There are high risks about intervention of other countries into the concerned one by breaking the supply of resources or for that matter, may intensify the cost and thus, can affect the economy in a downward manner. Infringement of human rights deteriorates peace-making, peace keeping and peace-building acts. Indeed, many conflicts are sparked by flouting the human rights.

#### IV. CORRECTIVE MEASURES TO BE ACQUIRED

*“A nation’s greatness is measured by how it treats its weakest members”- Mahatma Gandhi*

Our father of nation always believed that humanity is the family of all the human beings and god is the father of humanity, for him means were more important than ends. *Institutionalization* of human rights is the most indispensable step in formulating an ‘egalitarian’ society and thus, carries egalitarianism.

Separate courts should be devised in every state like the international tribunals or war crime tribunals to particularly impart justice according to *International Humanitarian Law* and take up cases only of *sins* against human rights. Various state committees should be formed and, if any activity of infringing of human rights comes in the eye then strict actions shall be taken.

Peace-building programs should be held at such places in which the individuals are being implicated in terrorist-instigating policies, indeed, these programs should be treated as ‘deemed to be attended’ by all the locals present in that particular place as these type of peace discussion would hearten the disheartened.

Endorsing equality and countering discrimination are the chief requisites which need to be executed as fast as we can to thwart the contravention of our human rights. All the work done by the government should be people-centered and, campaigns should be organized in backward places to make them aware of their rights and influence society with the direction of the thought-‘leave no one behind’.